IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUM. SUIT NO.5516 OF 1998

Bank of India .. Plaintiff.

vs.

Mr. Prakash G. Joshi .. Defendant.

Mr. O.A. Das for plaintiff.

None for defendants.

CORAM : S.U.KAMDAR, J.

DATE : 9th January,2006.

P.C.

. The suit is filed on the basis of the claim arising out of credit card issued by the plaintiffs pursuant to an application made by the defendant. The credit card bearing no. 5411 7540 1947 0008 has been used by the defendant including withdrawal of cash. In the aforesaid circumstances, the present suit has ben filed for recovery of sum of Rs.3,35,368.00. with further interest on Rs.1,63,124.00 at the rate of 12% p.a. simple ate of interest. The plaintiff has filed affidavit of service dated 3.12.1999 proving service of the writ of summons on the defendant. Despite service, no vakalatnama has been filed. Plaintiff tenders a

compilation of original documents which is taken on record and marked Ex. P-1 collectively. In that light of the matter, I pass the following decree.

> There shall be a decree in favour of the plaintiff and against the defendant in the sum of Rs.3,35,368.00 along with interest on the principal amount of Rs.1,63,124.00 at the rate of 12% p.a. at simple rate of interest. Refund of court fee as per rules.

2. Suit is disposed off accordingly.